

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

JULIE FRENCH.

**Plaintiff,**

V.

## PROVIDENCE EVERETT MEDICAL CENTER, *et al.*,

## Defendants.

No. C07-0217RSL

**ORDER GRANTING MOTION TO  
MODIFY TRIAL SUBPOENA**

This matter comes before the Court on the "Motion to Quash or Modify Trial

Subpoena Issued to Jennifer Wynne Carl, M.D.” Dkt. # 169. Having reviewed the memoranda, declarations, and exhibits submitted by the parties and having heard from counsel during a teleconference on March 27, 2009, the Court finds as follows:

Dr. Carl will not be required to travel from Port Townsend to Seattle to testify at trial. Her anticipated testimony is not extensive and does not justify the significant travel time involved or the inconvenience to her patients. Counsel have been instructed to confer and cooperate in scheduling a perpetuation deposition for Dr. Carl, to be conducted before trial begins. The deposition may be videotaped. If the parties are unable to schedule the deposition at a mutually agreeable time, Dr. Carl's testimony will be taken at trial via telephone.

**ORDER GRANTING MOTION TO MODIFY  
TRIAL SUBPOENA**

1           For all of the foregoing reasons, Dr. Carl's request that the trial subpoena be  
2 modified is GRANTED.

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4           Dated this 27th day of March, 2009.

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6           Robert S. Lasnik  
7           United States District Judge